

July 15, 2009

Received & Inspected
DOCKET FILE COPY ORIGINAL JUL 16 2009

FCC Mail Room

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
9300 East Hampton Drive
Capitol Heights, MD 20743

CC Docket No. 96-45
CC Docket No. 02-6

Ms. Dortch,

Request for Review: Please accept this letter of appeal requesting that a review of a decision made by USAC be conducted by the FCC on behalf of:

Paola, Unified School District 368
Entity Number: 137593
Form 470 Application Number: 975880000710138
Form 471 Application Number: 698623

Terri Gunther, Bookkeeper for USD 368, Paola, now deceased, filed the Form 470 for USD 368, on December 11, 2008 (please find attached a copy of the printed Form 470). According to Ms. Gunther's records, around the time of submitting the Form 470, her computer contracted a virus and crashed.

After observing the 28 day waiting period, Ms. Gunther went to the SLD web-site to file the district's Form 471, finding out at that time that there was no record of a Form 470.

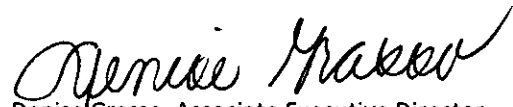
As you can see by the Form 470 Receipt Notification Letter, she immediately filed the Form 470 again (see the attached Form 470 Receipt Notification Letter) filing it on January 20, 2009. This obviously was going to cause the Form 471 to be postmarked outside the window (see the attached letter confirming this).

Because Ms. Gunther did not receive anything to the contrary regarding the submission of her first Form 470, she assumed everything was fine until she tried to file the district's Form 471.

She was advised, prior to her death, to request a review through the FCC once she had received confirmation from USAC that the Form 471 was postmarked outside of the window.

At this time, we are asking, due to the above stated circumstances, that you review our request and find in favor of USD 368, Paola, allowing review of the Form 471 as though it were filed in a timely manner.

Please do not hesitate to contact me directly with any questions you may have regarding our request.



Denise Grasso, Associate Executive Director
Southeast Kansas Education Service Center
PO Box 189
Girard, KS 66743
(620)724-6281 – phone
(620)724-6284 – fax
<denise.grasso@greenbush.org>

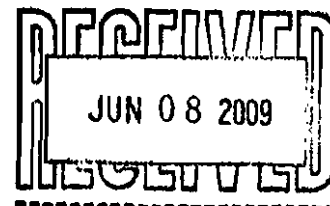
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Schools and Libraries Division

FUNDING YEAR 2009 FORM 471
POSTMARKED OUTSIDE OF WINDOW



June 5, 2009

TERRI GUENTHER
PAOLA UNIFIED SCHOOL DIST 368
1115 E 303RD ST
PO BOX 268
PAOLA, KS 66071-0268

Re: Applicant's Form Identifier: 3682009
Form 471 Application Number: 698623

Dear TERRI GUENTHER:

We're sending this letter to thank you for your recent Form 471 application. Your Form 471 application was postmarked on 02/18/2009, which is AFTER the Funding Year 2009-2010 filing window closed at 11:59 p.m. EST on Thursday, February 12, 2009.

Program rules require us to hold your application pending final review of those applications that were filed within the filing window. We will post an announcement on the USAC website at www.usac.org/sl once we determine if funding applications that were submitted within the application filing window will fully utilize all the funds available for this Funding Year.

For more information about the processing of pending applications, about funding for applications filed after the close of the filing window or about plans for future Funding Years, please visit our website or call the Client Service Bureau at 1-888-203-8100.

TO APPEAL THIS DECISION:

If you wish to appeal a decision indicated in this letter, your appeal must be received by USAC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and (if available) email address for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Include the following to identify the decision letter and the decision you are appealing:
 - Appellant name,
 - Applicant or service provider name,
 - BEN,
 - Application number 698623 as assigned by USAC,
 - "Funding Year 2009 Form 471 Postmarked Outside of Window Letter,"AND
 - The exact text or the decision that you are appealing.
3. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence and documentation.

4. If you are an applicant, please provide a copy of your appeal to the service provider(s) affected by USAC's decision. If you are a service provider, please provide a copy of your appeal to the applicant(s) affected by USAC's decision.

5. Provide an authorized signature on your letter of appeal.

To submit your appeal to USAC by email, email to appeals@sl.universalservice.org. USAC will automatically reply to incoming emails to confirm receipt.

To submit your appeal to us by fax, fax your appeal to (973)599-6542.

To submit your appeal to us on paper, send your appeal to:

Letter of Appeal
Schools and Libraries Division - Correspondence Unit
100 South Jefferson Road
P.O. Box 902
Whippany, NJ 07981

You have the option of filing an appeal with USAC or with the Federal Communications Commission (FCC). You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received by the FCC or postmarked within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. We strongly recommend that you use the electronic filing options described in the "Appeals Procedure" posted on our website. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554.

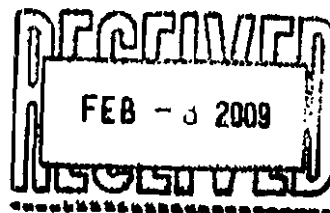
Schools and Libraries Division
Universal Service Administrative Company

USAC

Schools and Libraries Division
Correspondence Unit
100 South Jefferson Road
P.O. Box 902
Whippany, NJ 07981

TIME SENSITIVE MATERIAL

00027
Terri Guenther
PAOLA UNIFIED SCHOOL DIST 368
1115 EAST 303RD STREET
PAOLA, KS 66071





FORM 470 RECEIPT NOTIFICATION LETTER
(Funding Year 2009: 07/01/2009-06/30/2010)

January 29, 2009

Terri Guenther
PAOLA UNIFIED SCHOOL DIST 368
1115 EAST 303RD STREET
PAOLA, KS 66071

Re: Form 470 Application Number: 975880000710138
Entity Number: 137593
Applicant's Form Identifier: 3682009
Date Form 470 Posted: 01/20/2009
Allowable Contract Date: 02/17/2009
Corrections Due by: 02/18/2009

This is your notification that the above Form 470, "Description of Services Requested and Certification Form," and related Certification have been received by USAC.

Attached to this RNL is a Report summarizing the information you provided to USAC for the above Form 470, application number 975880000710138. Also included are advisories to assist you in appropriate use of the Form 470 to establish funding requests on your Form 471.

It is important that you review this Report now to make sure the products and services you require have been correctly posted and, if necessary, take any appropriate corrective action as soon as possible. You are allowed to correct certain errors on your form but not others. The Report indicates if a correction to a field is allowed.

- If a correction to a field is allowed, follow the instructions below to submit your correction to USAC.
- If corrections are not allowed, you must file a new Form 470.

Please note that this letter provides the notice required by the Bishop Perry Order (FCC 06-54, released 5/19/2006), permitting you to review and make allowable corrections to your Form 470 by 02/18/2009.

To make an allowable correction, please do the following:

- Verify that the allowed correction can be made through the RNL correction process. Any non-allowable corrections submitted through the RNL correction process will not be made.
- Make a copy of your report and indicate on the copy any allowable corrections in the spaces indicated.
- Sign the copy and include your name, title, contact information, and date.
- Submit the copy using the guidance posted on the Form 470 RNL page on our website at www.usac.org/sl/applicants/step03/form470-filing-receipt-notification-letter.aspx.
- Corrections must be submitted no later than 02/18/2009.
- Retain a copy of the RNL and any submitted corrections.
- To determine what corrections are allowable and why review of this Report is important to you, see the "List of correctable ministerial and clerical errors" posted at www.usac.org/_res/documents/sl/pdf/List-of-Correctable-Ministerial-and-Clerical-Errors.pdf.

GENERAL REMINDERS

- Use the Form 470 Application Number shown above in any Form 471, Block 5 Funding Request that cites this Form 470. Share this number with those schools and/or libraries who may wish to cite this Form 470 in their Form(s) 471.
- Follow all applicable state and local procurement laws and be prepared to demonstrate compliance with these laws.
- Include appropriate contingencies in contracts for any or all of the requested services in the event of modification or denial of funding.
- See "Guide to USAC Letter Reports" posted in Reference Area of our website at <http://usac.org/sl/tools/reference/guide-usac-letter-reports.aspx>.
- Watch our website for information about the Form 471 filing window.
- You can view your entire Form 470 by clicking on the "Search Posted" button in the Apply Online area of the website.
- Use the print feature on your browser to print any portion of your Form 470 or the entire application as posted.

COMPLETE PROGRAM INFORMATION is posted on our website. You may also contact our Client Service Bureau using the "Submit a Question" link on our website, toll-free by fax at 1-888-276-8736 or toll-free by phone at 1-888-203-8100.

Schools and Libraries Division
Universal Service Administrative Company

Form 470 975880000710138 RNL Report
Funding Year 2009

THIS REPORT DOES NOT CONTAIN ANY DECISIONS CONCERNING YOUR REQUESTS FOR DISCOUNTS.
USE THIS REPORT TO LIST OR INDICATE CORRECTIONS YOU WISH TO MAKE TO YOUR FORM 470.

Allowable Contract Date: 02/17/2009

This is the earliest date to execute contracts for contracted services, select your service provider(s) (including tariff/month-to-month service providers), and sign and submit your FCC Form 471, "Services Ordered and Certification Form" based on this Form 470. Any funding request with earlier dates for these actions that cite this Form 470 as the establishing Form 470 will result in denial.

Corrections Below Submitted by:

Signature: _____ Date: _____

Printed Name: _____

Title: _____

Email, Fax Number or Phone Number: _____

| Item # | Data Entered on FCC Form 470 | Make Corrections Here |
|--------|------------------------------|-----------------------|
|--------|------------------------------|-----------------------|

| | | |
|----------------------|-------------------------------|--|
| 1. Name of applicant | PAOLA UNIFIED SCHOOL DIST 368 | |
|----------------------|-------------------------------|--|

| | | |
|---------------------------|----------------|--|
| 3. Entity Number | 137593 | |
| 6a. Contact Person's Name | Terri Guenther | |
| 6c. Contact Telephone | 913-294-8000 | |
| 6d. Contact Fax | 913-294-8002 | |
| 6e. Contact Email | | |

| | | |
|--|-----|-------------------------|
| 7a. Tariffed or Month-to-Month | Yes | Corrections not allowed |
| 7b. New Written Contract | Yes | Corrections not allowed |
| Multi-year contract | No | Corrections not allowed |
| Voluntary extensions | No | Corrections not allowed |
| 7c. Contract signed on or before 7/10/1997 | No | Corrections not allowed |

- Although corrections to Items 7a and 7b are not allowed, your choice of services on the Form 471 is not limited by the choices you indicate for these items.
- You must post a new Form 470 each funding year for tariff or month-to-month services.
- Item 7c should be checked ONLY if your contract was signed on or before 7/10/1997.

| | | |
|---|-----------------|-------------------------|
| 8. Telecommunications Service | Posted - No RFP | Corrections not allowed |
| 9. Internet Access | Posted - No RFP | Corrections not allowed |
| 10. Internal Connections Other than Basic Maintenance | Not Posted | Corrections not allowed |
| 11. Basic Maintenance of Internal Connections | Not Posted | Corrections not allowed |

- You cannot seek discounts for products or services in a Category of Service on the Form 471 if those services in those categories were not indicated on a Form 470. You must post a new Form 470 and wait the required 28 days to correct this.
- If you indicated in this Form 470 that an RFP is available for a service but one is not, your funding request will be denied. You must post a new Form 470 and wait the required 28 days to correct this.

Form 470 975880000710138 RNL Report
Funding Year 2009

| Item # | Data Entered on FCC Form 470 | Make Corrections Here |
|--------|------------------------------|-----------------------|
|--------|------------------------------|-----------------------|

| | | |
|----------------------------|----------------------------|--|
| 12. Technical Contact Name | Tom Pfaltzgraff | |
| Telephone Number | 913-294-8000 | |
| Fax Number | 913-294-8002 | |
| Email Address | tom_pfaltzgraff@usd368.org | |

16c. Number of Entities in School District, 6
Library or Consortium
- Corrections to the number of eligible entities is allowable as long as the new information is not a significant departure from the scope of the original request and is due to clerical error.

17. Billed Entities
137593 - PAOLA UNIFIED SCHOOL DIST 368
- Billed Entities other than the entity listed in Item 3 of this form must be listed in Item 17 except as indicated on the form.